

EXHIBIT 2

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

GREGORY THOMAS BERRY, SUMMER
DARBONE, RICKEY MILLEN, SHAMOON
SAEED, ARTHUR B. HERNANDEZ, ERIKA
A. GODFREY, AND TIMOTHY OTTEN, on
behalf of themselves and all others similarly
situated,

No. 3:11-cv-00754-JRS-MHL

Plaintiffs,

vs.

LEXISNEXIS RISK & INFORMATION
ANALYTICS GROUP, INC., SEISINT, INC.,
and REED ELSEVIER INC.

Defendants.

DECLARATION OF RUST CONSULTING, INC.
REGARDING TIMELY COMPLIANCE OF CLASS NOTICE
PURSUANT TO 28 U.S.C. § 1746

I, Karen Rogan, declare:

1. I am Karen Rogan, a Senior Project Administrator of Rust Consulting, Inc. The following statements are based on my personal knowledge and information provided by other Rust Consulting, Inc. employees working under my supervision, and if called on to do so, I could and would testify competently thereto.

2. As set forth in paragraph 11 of the Order Granting Motion for Preliminary Approval of Proposed Settlement and Order Preliminarily Approving Class Action Settlement, Certifying Conditional Settlement Classes, Appointing Class Counsel, Approving and Directing Notice Plans, Appointing Settlement Administrators, and Scheduling Final Fairness Hearing (Doc. 67) (the "Preliminary Approval Order"), Rust

Consulting, Inc. ("Rust") was appointed by the Court to serve as the Settlement Administrator to supervise and administer the Rule 23(b)(3) Settlement Class Mail Notice procedure as well as establish and maintain the websites and toll-free phone lines for both the Rule 23(b)(2) and (b)(3) classes in the settlement of the above captioned case (the "Settlement"). Section 5.2.4 of the Settlement Agreement and Release entered into as of March 15, 2013 (Doc. 61-1) (the "Settlement Agreement") provides additional direction on the date and manner of the notice procedure. I submit this Declaration in order to provide the Court and the parties to the Settlement with information regarding the mailing of the Mail Notice ("the Notice" or "Postcard Notice"), the website and other administrative activities conducted in accordance with the Settlement Agreement.

3. Rust was responsible for serving notice of the Settlement to the appropriate federal and state officials in order to meet the requirements of the Class Action Fairness Act of 2005 ("CAFA"), as described in section 4.2.9 of the Settlement Agreement. CAFA notices were sent to the 50 states and all US territories on March 22, 2013, which was within 10 days of the filing of the Settlement Agreement with the Court on March 15, 2013.

4. Rust was responsible for providing notice by mail to Settlement Class Members in the Rule 23(b)(3) class. Specifically, the Notice was to be mailed by US mail, postage prepaid, requesting either forward service or change service to each Rule 23(b)(3) Settlement Class Member identified on the Class List.

5. Pursuant to paragraph 12 of the Preliminary Approval Order and paragraph 5.2.1 of the Settlement Agreement, Rust received from the Defendants electronic data containing names, addresses, and social security numbers of members of

the Settlement Class. This data was received on May 22, 2013. Rust processed this data and loaded the information into a database created for the Settlement. The data was electronically scrubbed to ensure adequate address formatting and resulted in 32,558 records for mailing.

6. Rust formatted the form of Postcard Notice approved by the Court in the Preliminary Approval Order (Doc. 67, ¶ 12) and caused it to be printed, personalized with the name and address of each Rule 23 (b)(3) Settlement Class Member from the Settlement database, posted for first-class mail, postage pre-paid, and delivered on June 12, 2013 to a United States Post Office for mailing. Attached as Exhibit 1 is the Postcard Notice that was mailed to Rule 23(b)(3) Class Members. The Notices (both Postcard and Internet (long-form) versions) were posted on the Settlement website by June 7, 2013.

7. In this initial mailing on June 7, 2013, a total of 32,558 Postcard Notices were mailed to Rule 23(b)(3) Settlement Class Members

8. As of November 18, 2013, the USPS returned 6,097 Postcard Notices as undeliverable without forwarding addresses. Of these 6,097 undeliverable Notices, Rust located 2,776 new addresses through a trace process. Rust mailed the Notices to those 2,776 Class Members at these updated addresses. Additionally, the USPS returned 135 Notices with forwarding addresses and Rust re-mailed the Notices to these Class Members at their forwarding addresses. An additional 515 were returned a second time. As of November 18, 2013, a total of 3,836 Postcard Notices remained undeliverable.

9. Overall, Postcard Notices reached approximately 88.2% of potential Rule 23(b)(3) Settlement Class Members.

10. As of November 18, 2013, Rust received eighteen requests for exclusion from members of the Rule 23(b)(3) Class. One objection was received for Rule 23(b)(3).

11. As of November 18, 2013, Rust received seven objections to the Settlement on behalf of the Rule 23(b)(2) Class, representing a total of 27,500 individuals.

12. Rust established and is maintaining two toll-free phone numbers, 866-483-0378 for the Rule 23(b)(3) Class and 888-538-5784 for the Rule 23(b)(2) Class in order to respond to inquiries from the two groups of Class Members. Both toll-free numbers became operational on June 7, 2013. As of November 18, 2013, Rust had received a total of 2,211 telephone calls to the (b)(3) line and 3,084 calls to the (b)(2) line. In response to telephone requests, Rust mailed copies of the Internet Notices (long-form notices), which were approved by the Court in its Preliminary Approval Order (Doc. 67, ¶ 12), to 307 Rule 23(b)(3) Class Members and 1,309 Rule 23(b)(2) Class Members. Two Internet Notices in Spanish, which were translations of the Court-approved Internet Notices, were mailed to Rule 23(b)(3) Class Members. Fifteen Internet Notices in Spanish were requested by Rule 23(b)(2) Class Members.

13. Rust also established and is maintaining two websites, www.FileDisputeReport.com for the Rule 23(b)(3) Class and www.CollectionReportLawsuit.com for the Rule 23(b)(2) Class. Each website includes general information about the Class, detailed, long-form notices (in English and Spanish), viewable versions of the Settlement Agreement and the Court's Order Granting Preliminary Approval of the Settlement, important dates relating to the Settlement, a set of frequently asked questions and answers, and the toll-free number referenced above

which consumers can call for more information. The website for the Rule 23(b)(3) Class also includes a viewable copy of the Mail Notice that Rule 23 (b)(3) Class Members received, As of November 18, 2013, there have been 6,261 unique visits to the Rule 23(b)(3) website and 199,867 unique visits to the Rule 23(b)(2) website.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 20th day of November, 2013 in Faribault, Minnesota.



Karen Rogan

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